

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DISTRICT

Cheri Grippo and William Grippo,
wife and husband,

Plaintiffs,

VS.

St. Alexius Medical Center,

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL

1:15-CV-122

COMES NOW the Plaintiffs, Cheri Grippo and William Grippo, and alleges and shows to the Court as follows:

1.

That at all times material hereto, Plaintiffs are wife and husband.

11.

That Defendant St. Alexius Medical Center is a nonprofit corporation engaged in the business of a hospital, including providing facilities and personnel for surgery and post-surgery care.

III.

Beginning on or about September 9, 2013, and continuing until at least September 24, 2013, Defendant provided care and treatment to Plaintiff Cheri Grippo in connection with Plaintiff's diverticulitis. In providing such treatment, defendants negligently departed from the degrees of skill and care ordinarily expected of health care providers under the same or similar circumstances in that they applied an ice pack to her

to her back and backside, but failed to remove it in a timely manner resulting in frostbite and significant injuries and acted and failed to act in other inappropriate ways.

IV.

As a direct consequence of defendants' negligence, Plaintiff Cheri Grippo sustained injuries including permanent injuries to her back and backside which have and will in the future cause her pain, discomfort and disability; that she has been and will in the future be caused to expend sums of money for medical care and treatment; that her earning capacity has been and will be impaired.

V.

That by reason of the injuries to his spouse, Plaintiff William Grippo has been deprived of his wife's care, comfort, companionship and services.

VI.

Plaintiffs, at all pertinent times, have complied with N.D.C.C. section 32-42-03.

WHEREFORE, the Plaintiffs request that this Court award them damages, in a reasonable amount, but not less than \$50,000.00.

Trial by jury of nine (9) persons is hereby requested on all issues triable to a jury.

DATED: 9-1-15

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DATED: 09/04/2015

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